IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3380 OF 2004
IN
APPEAL NO.718 OF 2004
IN
SUMMONS FOR JUDGMENT NO.35 OF 2003
IN
SUMMARY SUIT NO.402 OF 2000

Ashwin Corporation .. Appellant.
V/s.
Karamchand Thaper & Bros
(C.S.) Limited .. Respondent.

Mr.V.R. Dhond with Ms.Smita Ranpise i/b. S.K. Srivastava for the appellant.

Ms.Milan Ghosh for the respondent.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 24TH NOVEMBER, 2004.

P.C. :

Heard.

2. Subject to appellant's depositing a sum of Rs.5,50,000/- with the Prothonotary & Senior Master of this court within eight weeks from today, the operation of the impugned judgment and decree shall remain stayed.

3. The respondent shall be at liberty to withdraw the said amount on furnishing solvent surety / security to the satisfaction of the Prothonotary & Senior Master of this court.

4. If the respondent fails to furnish solvent surety / security within two months of the deposit made by the appellant, the Prothonotary & Senior Master shall invest the amount so deposited in Fixed Deposit of any nationalised bank initially for a period of two years renewable thereafter each time for the said period until disposal of the appeal.

5. The notice of motion stands disposed of.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)